



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re PATENT APPLICATION OF

OLLERENSHAW et al

Atty. Ref.: 1577-109

Serial No.: 09/769,769

Group Art Unit: 3738

Filed: January 26, 2001

Examiner: Phan, H.

For: TISSUE GRAFT

\* \* \* \* \*

June 27, 2003

SUBMISSION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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JUL 02 2003

Sir:

TECHNOLOGY CENTER R3700

Submitted herewith is an executed Exclusive Substitute  
Power of Attorney relating to the above.

Kindly direct all future correspondence regarding this  
matter to:

Mary J. Wilson  
**NIXON & VANDERHYE P.C.**  
1100 North Glebe Road  
8th Floor  
Arlington, Virginia 22201-4714.

Respectfully submitted,

**NIXON & VANDERHYE, P.C.**

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Assistant Commissioner for Patents  
Washington, DC 20231

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**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY  
AND EXCLUSIVE PROSECUTION HEREAFTER BY  
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

CRYOLIFE, INC., being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints Nixon & Vanderhye, P.C., 1100 North Glebe Rd., 8th Floor, Arlington, Virginia 22201-4714, telephone number (703) 816-4000, facsimile number (703) 816-4100, and the following attorneys thereof (of the same address) individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent: Larry S. Nixon, 25640; Robert A. Vanderhye, 27076; Arthur R. Crawford, 25327; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251;

Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffry H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366; Mary J. Wilson, 32955; Alan M. Kagen, 36178; Robert A. Molan, 29834; B. J. Sadoff, 36663; Updeep S. Gill, 37334; Michael J. Shea, 34725; Michelle N. Lester, 32331; Frank P. Presta, 19828; Joseph S. Presta, 35329; Joseph A. Rhoa, 37515; Raymond Y. Mah, 41426; Chris Comuntzis, 31097; Gary R. Tanigawa, 43180; Paul T. Bowen, 38009; Willem F. Gadiano, 37136.

CRYOLIFE, INC., also authorize Nixon & Vanderhye to delete any attorney names/numbers no longer with the firm and to act and rely solely on instructions communicated from the person, attorney, firm or other organization sending instructions to Nixon & Vanderhye on behalf of the owner.

Certificate Under 37 C.F.R. §3.73(b)

CRYOLIFE, INC., a corporation having a place of business at Kennesaw, Georgia states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors to the aforesaid assignee, a copy of that assignment being attached.

The undersigned (whose title is typed below) is empowered to sign this statement on behalf of CRYOLIFE, INC..

OLLERENSHAW et al  
Serial No. 09/769,769

CRYOLIFE, INC.

6/27/03

Date

By:

Kirby S. Black

Name: Kirby S. Black, Ph.D.

Title: Senior Vice President, Research &  
Development

Nixon & Vanderhye P.C.  
1100 North Glebe Road  
Eighth Floor  
Arlington, VA 22201-4714

Attorney Dkt: 1577-109

A S S I G N M E N T  
of U.S. Origin Patent Application

- 1) Jeremy D. Ollerenshaw
- 2) Steven Goldstein
- 3) Kirby S. Black

(hereinafter collectively ASSIGNOR), have made an invention known as Dkt. 1577-109 and entitled: **TISSUE GRAFT** for which an application for Letters Patent of the United States  was executed even date herewith and is about to be filed in the United States Patent and Trademark Office;  was filed on January 26, 2001, Appln. No. 09/769,769, which claims priority from provisional Appln. No. 60/178,632, filed 28 January 2000;

AND WHEREAS CRYOLIFE, INC., 1655 Roberts Boulevard, NW, Kennesaw, Georgia 30144

(hereinafter ASSIGNEE), desires to acquire an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its entire right, title and interest to the said invention in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, and foreign counterparts thereof, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of

America adheres, and ASSIGNEE hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives. It is understood and agreed that ASSIGNEE'S attorneys Nixon & Vanderhye P.C. have represented only ASSIGNEE and will continue to represent only ASSIGNEE with respect to this invention.

AND ASSIGNEE hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNEE furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

The undersigned hereby authorize(s) Nixon & Vanderhye P.C. of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

Executed on the date(s) below indicated.

	<u>Signature</u>	<u>Date Signed</u>	<u>Witness</u>
1)	<u>J. D. Ollerenshaw</u>	<u>4/2/01</u>	<u>Sandra Maselosky</u>
2)	<u>K. S. Black</u>	<u>4/3/01</u>	<u>Sandra Maselosky</u>
3)	<u>Kirby S. Black</u>	<u>4/02/01</u>	<u>Sandra Maselosky</u>